

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JASON JEROME HARRIS,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CASE NO. C16-5241-RBL

ORDER DENYING DEFENDANT'S  
MOTION TO TRANSPORT

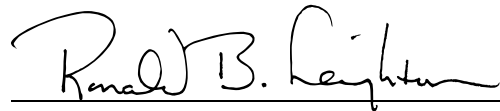
DKT. #20

THIS MATTER is before the Court on Defendant Harris's Motion to Transport and to Set a Briefing Schedule [Dkt. #20]. Harris moved to vacate his 15-year prison sentence for being a felon-in-possession and an armed career criminal under 28 U.S.C. § 2255. The Court deferred consideration of his motion until the Supreme Court decides *Mathis v. United States*, No. 15-6092. Harris asks the Court to order the government to submit its *Mathis* briefing within 10 days of the Supreme Court's decision and to order the U.S. Marshals Service to transport him to this district for an expedited hearing. The government asks for 14 days and argues Harris's transportation request is premature, because until *Mathis* is decided, the Court cannot assess what type of hearing it will hold and whether Harris has a right to be present.

1 The Court declines to put the cart before the horse. The *Mathis* decision will elucidate  
2 what type of hearing the Court will schedule. Within 14 days of the Supreme Court's decision,  
3 the government shall submit any briefing. Harris shall have an additional 14 days to respond.  
4 Once fully briefed on *Mathis*, the Court will set an expedited hearing, and Harris may re-request  
5 transportation at that time.

6 IT IS SO ORDERED.

7 Dated this 9<sup>th</sup> day of June, 2016.

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10 Ronald B. Leighton  
11 United States District Judge  
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